

2015 -- H 5789

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LC002042  
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2015

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A N A C T

RELATING TO ELECTIONS - RHODE ISLAND CAMPAIGN CONTRIBUTIONS AND  
EXPENDITURES REPORTING

Introduced By: Representatives DeSimone, Craven, Ruggiero, Abney, and Hearn

Date Introduced: March 05, 2015

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1           SECTION 1. Section 17-25-11 of the General Laws in Chapter 17-25 entitled "Rhode  
2   Island Campaign Contributions and Expenditures Reporting" is hereby amended to read as  
3   follows:

4           **17-25-11. Dates for filing of reports by treasurers of candidates or of committees. --**

5   (a) During the period between the appointment of the campaign treasurer for state and municipal  
6   committees and political action committees, or in the case of an individual, the date on which the  
7   individual becomes a "declared or undeclared candidate", as defined in § 17-25-3(2), except when  
8   the ninety (90) day reporting period ends less than forty (40) days prior to an election, in which  
9   case the ninety (90) day report shall be included as part of the report required to be filed on the  
10   twenty-eighth (28th) day next preceding the day of the primary, general, or special election  
11   pursuant to subdivision (2) of this subsection, and the election, with respect to which  
12   contributions are received or expenditures made by him or her in behalf of or in opposition to a  
13   candidate, the campaign treasurer of a candidate, a political party committee, or a political action  
14   committee shall file a report containing an account of contributions received and expenditures  
15   made on behalf of or in opposition to a candidate:

16           (1) At ninety (90) day intervals commencing on the date on which the individual first  
17   becomes a candidate, as defined in § 17-25-3(2);

18           (2) In a contested election, on the twenty-eighth (28th) and seventh (7th) days next

1 preceding the day of the primary, general, or special election; provided, that in the case of a  
2 primary election for a special election, where the twenty-eighth (28th) day next preceding the day  
3 of the primary election occurs prior to the first day for filing declarations of candidacy pursuant to  
4 § 17-14-1, the reports shall be due on the fourteenth (14th) and seventh (7th) days next preceding  
5 the day of the primary election for the special election; and

6 (3) A final report on the twenty-eighth (28th) day following the election. The report shall  
7 contain:

8 (i) The name and address and place of employment of each person from whom  
9 contributions in excess of a total of one hundred dollars (\$100) within a calendar year were  
10 received;

11 (ii) The amount contributed by each person;

12 (iii) The name and address of each person to whom expenditures in excess of one  
13 hundred dollars (\$100) were made; and

14 (iv) The amount and purpose of each expenditure.

15 (b) Concurrent with the report filed on the twenty-eighth (28th) day following an  
16 election, or at any time thereafter, the campaign treasurer of a candidate, or political party  
17 committee or political action committee, may certify to the board of elections that the campaign  
18 fund of the candidate, political party committee, or political action committee having been  
19 instituted for the purposes of the past election, has completed its business and been dissolved or,  
20 in the event that the committee will continue its activities beyond the election, that its business  
21 regarding the past election has been completed; and the certification shall be accompanied by a  
22 final accounting of the campaign fund, or of the transactions relating to the election, including the  
23 final disposition of any balance remaining in the fund at the time of dissolution or the  
24 arrangements which have been made for the discharge of any obligations remaining unpaid at the  
25 time of dissolution.

26 (c) (1) Once the campaign treasurer certifies that the campaign fund has completed its  
27 business and been dissolved, no contribution which is intended to defray expenditures incurred on  
28 behalf of or in opposition to a candidate during the campaign can be accepted. Until the time that  
29 the campaign treasurer certifies that the campaign fund has completed its business and been  
30 dissolved, the treasurer shall file reports containing an account of contributions received and  
31 expenditures made at ninety (90) day intervals commencing with the next quarterly report  
32 following the election; however, the time to file under this subsection shall be no later than the  
33 last day of the month following the ninety (90) day period, except when the last day of the month  
34 filing deadline following the ninety (90) day reporting period occurs less than twenty-eight (28)

1 days before an election, in which case the report shall be filed pursuant to the provisions of  
2 subdivisions (a)(1) and (2) of this section. Provided, however, if the last day of the month falls on  
3 a weekend or a holiday, the report shall be due on the following business day.

4 (2) In addition to the reports required pursuant to this section, a candidate or office holder  
5 shall also file with the board of elections a paper copy of the account statement from the office  
6 holder's campaign account, which account statement shall be the next account statement issued by  
7 their financial institution after the filing of the fourth quarterly campaign expense report. This  
8 account statement shall not be deemed a public record pursuant to the provisions of chapter 2 of  
9 title 38. Provided, as to state and municipal political parties, the requirements of this subsection  
10 (c)(2) shall apply to the annual report required pursuant to § 17-25-7.

11 (d) (1) There shall be no obligation to file the reports of expenditures required by this  
12 section on behalf of or in opposition to a candidate if the total amount to be expended in behalf of  
13 the candidacy by the candidate, by any political party committee, by any political action  
14 committee, or by any person shall not in the aggregate exceed one thousand dollars (\$1,000).

15 (2) However, even though the aggregate amount expended on behalf of the candidacy  
16 does not exceed one thousand dollars (\$1,000), reports must be made listing the source and  
17 amounts of all contributions in excess of a total of one hundred dollars (\$100) from any one  
18 source within a calendar year. Even though the aggregate amount expended on behalf of the  
19 candidacy does not exceed one thousand dollars (\$1,000) and no contribution from any one  
20 source within a calendar year exceeds one hundred dollars (\$100), the report shall state the  
21 aggregate amount of all contributions received. In addition, the report shall state the amount of  
22 aggregate contributions that were from individuals, the amount from political action committees,  
23 and the amount from political party committees.

24 (e) On or before the first date for filing contribution and expenditure reports, the  
25 campaign treasurer may file a sworn statement that the treasurer will accept no contributions nor  
26 make aggregate expenditures in excess of the minimum amounts for which a report is required by  
27 this chapter. Thereafter, the campaign treasurer shall be excused from filing all the reports for that  
28 campaign, other than the final report due on the twenty-eighth (28th) day following the election.

29 (f) A campaign treasurer must file a report containing an account of contributions  
30 received and expenditures made at the ninety (90) day intervals provided for in subsection (c) of  
31 this section for any ninety (90) day period in which the campaign received contributions in excess  
32 of a total of one hundred dollars (\$100) within a calendar year from any one source and/or made  
33 expenditures in excess of one thousand dollars (\$1,000) within a calendar year; however, the time  
34 to file under this subsection shall be no later than the last day of the month following the ninety

1 (90) day period, except when the last day of the month filing deadline following the ninety (90)  
2 day reporting period occurs less than twenty-eight (28) days before an election, in which case the  
3 report shall be filed pursuant to the provisions of subdivisions (a)(1) and (2) of this section.  
4 Provided, however, if the last day of the month falls on a weekend or a holiday, the report shall be  
5 due on the following business day.

6 (g) (1) The board of elections may, for good cause shown and upon the receipt of a  
7 written or electronic request, grant a seven (7) day extension for filing a report; provided, that the  
8 request must be received no later than the date upon which the report is due to be filed.

9 (2) Any person or entity required to file reports with the board of elections pursuant to  
10 this section and who has not filed the report by the required date, unless granted an extension  
11 pursuant to subdivision (1) of this subsection, shall be fined twenty-five dollars (\$25.00).  
12 Notwithstanding any of the provisions of this section, the board of elections shall have the  
13 authority to waive late filing fees for good cause shown.

14 (3) The board of elections shall send a notice of non-compliance, by certified mail, to  
15 any person or entity who fails to file the reports required by this section. A person or entity who is  
16 sent a notice of non-compliance and fails to file the required report within seven (7) days of the  
17 receipt of the notice shall be fined two dollars (\$2.00) per day from the day of receipt of the  
18 notice of non-compliance until the day the report has been received by the state board.  
19 Notwithstanding any of the provisions of this section, the board of elections shall have the  
20 authority to waive late filing fees for good cause shown.

21 SECTION 2. This act shall take effect January 1, 2016.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

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1           This act would require candidates and political action committees to file a copy of the  
2 next bank statement from their campaign account that is issued after they file their final on-going  
3 quarterly campaign finance report to the board of elections.

4           This act would take effect on January 1, 2016.

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